



**KNIGHT
FIRST AMENDMENT
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January 11, 2021

Via ECF

The Honorable John G. Koeltl
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States
Courthouse
500 Pearl St.
New York, NY 10007

**Re: *Freedom of the Press Found. v. DOJ*, Case No. 1:17-cv-
9343-JGK (S.D.N.Y.)**

Dear Judge Koeltl,

Pursuant to the Court's October 27, 2020 scheduling order, ECF No. 71, I write on behalf of both parties to update the Court on the status of negotiations over attorney's fees and expenses.

Under Federal Rule of Civil Procedure 54(d), a party has fourteen days after the entry of judgment to file a motion for fees and expenses. Because the Clerk of Court entered judgment in this matter on October 13, 2020, Plaintiffs originally had until October 27, 2020 to file their motion.

On October 21, Plaintiffs requested an extension of this deadline to allow the parties time to consider whether they intended to appeal. On October 27, the Court granted Plaintiff's request and ordered the parties to file an update with the Court on the status of fee negotiations within thirty days after the resolution of any appeals, or, in the event that neither party appealed, within thirty days after the expiration of the parties' time to file an appeal. ECF No. 71.

On December 14, 2020, the time allotted for filing an appeal expired, and neither party appealed. Thus, under the Court's scheduling order, the parties are to provide an update to the Court on the status of their negotiations by today, January 11, 2021.

The parties' efforts to reach an agreement on attorney's fees and expenses remain ongoing. On January 8, 2021, Plaintiffs conveyed a proposal to counsel for Defendants for a settlement agreement regarding attorney's fees. To allow Defendants the opportunity to consider and respond to this proposal, the parties respectfully request additional time to continue negotiations and propose that they again update the Court on the status of fee negotiations in thirty days, by Wednesday, February 10, 2021. This is the second request for an extension of this deadline.

Respectfully,

/s/ Anna Diakun

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Alex Abdo (AA-0527)

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Application granted.

SO ORDERED.

/s/ John G. Koeltl

New York, New York

John G. Koeltl

January 12, 2021

U.S.D.J.